



City Manager  
(707) 822-5953

Environmental Services  
822-8184

Police  
822-2428

Recreation  
822-7091

Community Development  
822-5955

Finance  
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Public  
Works  
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Transportation  
822-5775

PERMIT NO. 011-06-0139  
NON-CATEGORICAL SIGNIFICANT INDUSTRIAL USER DISCHARGE PERMIT  
FOR  
Fieldbrook-Glendale Community Services District

Activity Description

Site is currently operating as Fieldbrook-Glendale Community Services District, a public entity of the County of Humboldt. On September 28, 1988 the City of Arcata (City) and the Fieldbrook-Glendale Community Services District (District) entered into a Sewer Service Agreement for the City to provide sewer services to portions of the communities that make up the District. As a separate municipal district, uses within the service area may be classified as Categorical Industrial Uses as defined in 40 CFR Parts 405 - 471 or as Significant Industrial Uses as defined in 40 CFR Part 403.

The District collection system is owned and operated by the District and discharges to the City of Arcata Publically Owned Treatment Works (POTW) as an extrajurisdictional user through a 6-inch force main to a manhole on West End Road, approximately 500 feet north of the Highway 101 overpass. The District operates 24-hours per day, 365 days per year. Wastewater discharge is estimated at 30,000 gallons per day.

Fieldbrook-Glendale Community Services District has been designated as a Significant Industrial User (SIU) by the Director of Environmental Services on the basis that discharge from the District has reasonable potential to adversely affect the City of Arcata POTW operation or for violating any pretreatment standard or requirement. As a condition of this Non-Categorical Significant Industrial User discharge permit issued by the City of Arcata, the District is required to adopt a Sewer Use Ordinance with conditions for a pretreatment program. Categorical and Non-Categorical Industrial Users (i.e. Significant Industrial Users) contributing all or portions of their wastewater to the District collection system are required to be managed under the established District Pretreatment Program.

Part I. Prohibited Discharge Standards

All Industrial Users of the City of Arcata POTW are subject to the general pretreatment regulations found in 40 Code of Federal Regulations (CFR) Part 403, and codified in Arcata Municipal Code (AMC), Title 7, Chapter 2.

- N. Any medical wastes, except as specifically authorized by the Director in a wastewater discharge permit.
- O. Any wastewater causing the treatment plant's effluent to fail a toxicity test.
- P. Any wastes containing detergents, surface active agents, or other substances which may cause excessive foaming in the POTW.
- Q. Any discharge of fats, oils, or greases of animal or vegetable origin in excess of 50 mg/l.

Wastes prohibited by this section shall not be processed or stored in such a manner that could be discharged to the POTW. Floor drains in regulated process or material storage areas must drain to the SIU's pretreatment facility before connecting to the District collection system or be otherwise protected from spills.

#### Categorical Pretreatment Standards

Any User discharging to the District collection system which may be classified as Categorical Industrial User as defined in 40 CFR Parts 405 – 471 shall be regulated as a Categorical Industrial Use by the District Pretreatment Program in accordance with all applicable National, State or local Pretreatment Standards or Requirements.

#### Non-Categorical Pretreatment Standards

Any User discharging to the District collection system which may be classified as a Non-Categorical Significant Industrial user as defined in 40 CFR Part 403 shall be regulated as a Non-Categorical Significant Industrial by the District Pretreatment Program in accordance with all applicable National, State or local Pretreatment Standards or Requirements.

#### Local Limits

Specific pollutant limitations for all discharges are established to protect against Pass-through and/or Interference. No person shall discharge wastewater into the POTW containing excess of pollutant limitations as established by resolution of the Arcata City Council.

#### Flow Limitations

Flow limitations for the District are defined in the Sewer Service Agreement and are not regulated in this permit. SIUs may have specific flow limits or mass loading limits as specified by the District's sewer management rules.

#### Dilution of Flow

No Industrial User shall attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by the applicable Pretreatment Standard or Requirement. Forms of dilution include, but are not limited to the increase use of process water or introduction of non-contact cooling water to the wastestream prior to pretreatment

The Director may impose mass limitations in addition to or in place of concentration based effluent limitations on Industrial Users which are using dilution to meet applicable pretreatment standards or requirements; or in other cases when the imposition of mass limitations is appropriate.

#### General Prohibitions

No Industrial User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass-through or Interference. These general prohibitions and the specific prohibitions, specified below, apply to all Industrial Users of the POTW whether or not the User is subject to other Categorical Pretreatment Standards or any other National, State or local Pretreatment Standards or Requirements.

#### Specific Prohibitions

No Industrial User may contribute the following substances to the POTW:

- A. Pollutants which create a fire or explosive hazard in the municipal wastewater collection and POTW, including, but not limited to, waste streams with a closed-cup flash point less than 140°F (60°C) using the test methods as specified by the Director.
- B. Any wastewater having a pH less than 5.0 or more than 9.5, or otherwise causing corrosive structural damage to the POTW or equipment, or endangering City personnel.
- C. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference, but in no case solids greater than three inches in any dimension.
- D. Any wastewater containing pollutants, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with either the POTW; or any wastewater treatment or sludge process, or which will constitute a hazard to humans or animals.
- E. Any wastewater having a temperature greater than 150°F (65.5°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C).
- F. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- G. Any pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- H. Any trucked or hauled pollutants, except at discharge points designated by the Director in accordance with applicable regulations.
- I. Any noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance, a hazard to life, or to prevent entry into the sewers for maintenance or repair.
- J. Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent thereby violating the City's NPDES permit.
- K. Any wastewater containing any radioactive wastes or isotopes except as specifically approved by the Director in compliance with applicable State or Federal regulations.
- L. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted industrial wastewater, unless specifically authorized by the Director.
- M. Any sludge, screening, or other residues from the pretreatment of industrial wastes.

## Part II. Requirement to Maintain Parity

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As specified in Section 7489.8 of Arcata Municipal Code, the District must adopt sewer management rules which establish a pretreatment program at least as stringent as the program set out in the City of Arcata pretreatment ordinance including, but not limited to, provisions for an industrial pretreatment program; a Fats, Oils and Grease (FOG) program; record keeping requirements; local limits; enforcement response for pretreatment violations and; slug and spill plan requirements.

### Pretreatment Program

Sewer management rules adopted by District shall establish a pretreatment program including industrial user control mechanism (i.e. industrial user permit) issuance, inspection, monitoring, and enforcement which is at least as stringent as the program set out in the City of Arcata pretreatment ordinance. In the event that the City of Arcata pretreatment ordinance is modified, the District must modify its management rules to be at least as stringent as the City of Arcata ordinance.

### Fats, Oils and Grease Program

The District must implement a Fats, Oil, and Grease (FOG) program at least as stringent as the FOG program set out by the City of Arcata. Required program components include periodic inspection of grease control devices, kitchen BMP education and enforcement at all Food Service Establishments (FSEs), review of grease control device maintenance/cleaning records, and documentation/record keeping of FOG Program activities.

Resources are available through the City of Arcata FOG program for inspection of FOG control devices in the District service area, if requested.

### Spill Prevention and Slug Discharge Response Plans

The District shall require all SIUs to develop and implement an accidental discharge (spill)/slug control plan. A copy of the most recent Spill Prevention Plan from SIUs must be on-file with the District and the City. Spill Prevention and Slug Discharge Response Plans shall be posted in a prominent location at the SIU facility and shall clearly identify notification procedures.

### Local Limit Adoption

The District must adopt numeric pollutant limits at least as stringent as City of Arcata local limits or otherwise demonstrate that they are unnecessary. In the event that the City of Arcata modifies its local limits, the District must review and modify its local limits to be at least as stringent as the City of Arcata's local limits.

### Enforcement Response Plan

The District must establish an enforcement response plan within 1 year of issuance of this permit. The District is required to either enforce its own pretreatment program or establish an alternate means of enforcement by a second party. Failure to enforce pretreatment standards is non-compliance with this permit and may result in enforcement actions against the District by the City of Arcata.

Sewer management rules adopted by the District must contain a provision acknowledging that the City of Arcata has the legal authority to take enforcement actions against non-compliant uses within the District service area. The District pretreatment program management rules must contain a provision granting the City of Arcata the legal authority to directly act in cases where the discharge of a non-compliant use is determined to cause an immediate threat to health, the POTW, or the environment.

### Record Keeping Requirements

The District must provide the City of Arcata access to all information obtained and used as part of its pretreatment program. The District shall retain, and make available for inspection and copying, all records and information required to be retained for a period of at least 3 years. This period shall be automatically extended for the duration of any litigation concerning compliance, or where the industrial user has been specifically notified of a longer retention period by the Director.

## Part II. Monitoring

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### SIU Monitoring

Effluent limitations and monitoring requirements shall apply at sample point(s) representative of the regulated process (i.e. end of process wastewater) and shall be representative of the conditions occurring during the reporting period. The use of sample points not exclusively sampling the wastestream of regulated processes must use the federally approved combined wastestream formula (see diagram below). The District is responsible for establishing representative sample locations for each identified SIU and shall clearly identify representative sampling locations in issued control mechanisms.

Samples shall be collected and analyzed using approved analytical techniques, sample preservation and holding time requirements found at 40 CFR Part 136. If any SIU monitors any pollutant more frequently than required by the control mechanism issued by the District at the designated sample location, using test procedures approved under 40 CFR Part 136 the results of this monitoring must be reported to the District and shall be included in the Annual Pretreatment Report to the City of Arcata. SIUs identified as categorical or identified as being likely to exceed a prohibited discharge standard or local limit shall be sampled at least once every calendar year and no more than 12 months apart for pollutants identified in applicable categorical regulations, prohibited discharge standards and/or local limits.

### Supplemental Effluent Monitoring Requirements for Monitoring Purposes

The Director of Environmental Services may require supplemental monitoring to be included in cases of emerging pollutants for pollutants not specifically included in the Local Limits Resolution.

## Part III. Reporting

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### Effluent Limit Violations

The District shall require that SIUs notify the District and the City within 24-hours of becoming aware of laboratory results that indicate that an effluent limit violation occurred. Failing to notify the District and the City of permit violations in a timely manner shall be considered non-compliance with the conditions of the issued control mechanism.

Failure by the District to enforce effluent limit violation reporting requirements in a timely manner may be considered non-compliance with this permit.

#### Notice of Change of Conditions

The District is required to notify the Director of any planned significant changes to SIUs discharging to District collection system which might alter the nature, quality or volume of its wastewater; including the potential for a slug discharge; at least ninety (90) days before the change.

#### Notification Methods

The District shall require SIUs to report any noncompliance that may endanger health or the environment orally within 24 hours from the time the SIU becomes aware of the circumstances. Oral notification shall be reported to the Environmental Compliance Officer at (707) 825-2148 or, the Water/Wastewater Superintendent at (707) 825-2156 or, the Director of Environmental Services at (707) 822-8184. If notification is required during non-business hours or previous contacts are not available the City of Arcata Police Department should be contacted at (707) 822-2428. Oral notification means direct contact with a staff person listed above or Arcata Police Department staff person.

Written notification shall be submitted to:

City of Arcata  
Environmental Compliance Office, Pretreatment Program  
736 F Street  
Arcata, CA 95521

#### Periodic Pretreatment Program Reporting Requirements

The District shall submit annually a report to the City of Arcata describing its pretreatment activities over the previous year. In the event that District is not in compliance with any of the requirements of this permit, then the District shall also include the reasons for noncompliance and state how and when the District shall comply with such conditions and requirements. The annual report shall cover the period of January 1 through December 31 and shall be received by the City no later than February 28 of each year. The report shall contain but not be limited to:

- a. A discussion of Upset, Interference, or Pass-through incidents, if any.
- b. A list of all identified SIUs and their specific geographical location. The list shall indicate additions and deletions and shall provide a brief explanation for each addition or deletion. The list shall identify the SIUs subject to federal categorical standards by specifying which set(s) of standards are applicable to each SIU. The list shall also indicate which SIUs are subject to local limits by identifying which local limits are applicable to each SIU. The list shall also identify the type of wastewater treatment and/or control process in place for each SIU.
- c. A list of the non-compliance incidents for each SIU including significant noncompliance (SNC) incidents as defined at 40 CFR 403.12(f)(2)(vii), the current compliance status of each SIU and any enforcement/disciplinary actions that occurred relating to the pretreatment program.
- d. For a SIU subject to discharge requirements for total toxic organics, if any, whether all required certifications were provided.
- e. A summary of FOG program activities.

#### Reports of Potential Problems

The District shall require that SIUs notify the District and the City immediately in cases of any discharge including but not limited to, accidental discharges, spills, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load which may cause potential problems for the City POTW (including a violation of prohibited discharge standards). This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the SIU.

Within five days following such a discharge, the SIU shall, unless waived by the Director, submit to the District and City a detailed written report describing the cause(s) of the discharge and the measures to be taken by the SIU to prevent similar future occurrences. Such notification shall not relieve the District or the SIU of any expenses, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the District or the SIU of any fines, civil penalties, or other liability which may be imposed by the City of Arcata Pretreatment Ordinance.

#### Notice of Bypass

Bypass is prohibited and the City may take enforcement action against the District for a bypass that occurred in its service area and/or directly against a SIU discharging to the District sewer system unless it was unavoidable to prevent loss of life, personal injury, or severe property damage or there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance and proper notification was made.

The District shall require that SIUs notify the District and the City orally within 24 hours from the time the SIU becomes aware of an unanticipated bypass that exceeds applicable pretreatment standards. A written submission shall also be provided to the District and City within 5 days of the time the SIU becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.

The District shall require SIUs to notify the District and the City in cases where the SIU knows in advance of the need for a bypass. The SIU must submit prior notice to the District and City, if possible at least ten days before the date of the bypass.

#### Notice of Upset

An upset may occur when the power goes out or for a variety of other reasons. If an upset has caused a permit condition to be violated provisions exist to use the upset as an affirmative defense. The District shall require SIUs to submit notice of an upset to the District and City within 24 hours and written notice must be submitted within 5 days of the upset. Specific conditions must be met; for further information review 40 CFR 403.16.

- f. Summary data, in tabular format, of SIU laboratory data including, but not limited to, the number of samples taken during the year, sample date & time, analysis date & time, analytical laboratory and, analytical method, method detection limit and method limit/reporting limit. The District may submit laboratory reports, including chain-of-custodies, to meet this requirement.
- g. A brief description of any significant changes to the District's pretreatment program during the calendar year, if any.

The District shall submit a semiannual SIU noncompliance status report to the City of Arcata. The report shall cover the period of January 1 through June 30, and shall be received by the City no later than August 31 of each year. The report shall contain a brief description of any Pretreatment Program activities occurring during the reporting period including, but not limited to; monitoring activities, SIU violations, and enforcement/disciplinary action. In the event that District is not in compliance with any of the requirements of this permit, the District shall also include the reasons for noncompliance and state how and when the District shall comply with such conditions and requirements

The following certification statement must be included with all reports, statements, and notices used for compliance with this permit:

*"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possibility of a fine and imprisonment for knowing violations"*

Failing to submit a report, incomplete reports and late submissions may be considered noncompliance with the conditions of this permit. Signed copies of reports shall be submitted to the City of Arcata Pretreatment Department at the following address:

City of Arcata  
Environmental Compliance Office, Pretreatment Program  
736 F Street  
Arcata, CA 95521

#### Fees

Report filing fees must be submitted for a report to be considered complete for compliance purposes. The Industrial User shall be charged a reporting fee of \$90. Reporting fees are subject to change upon adoption of resolution.

### Part IV. General Provisions

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#### Transferability

Wastewater discharge permits may be reassigned or transferred to a new owner and/or operator only if the permittee gives at least 90 days advance notice to the Director and the Director approves the wastewater discharge permit transfer. The notice to the Director must include a written certification by

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Environmental Services Department  
Wastewater Discharge Permit No. 011-06-0139



the new owner and/or operator, in accordance with Arcata Municipal Code Section 7488.7 and 7489.5. Provisions must be made for furnishing the new owner and/or operator with a copy of the existing wastewater discharge permit. Failure to provide 90 days advance notice and receive a permit transfer shall be considered non-compliance with this permit.

#### Permit Duration

This permit shall become effective April 26, 2013 at expire at midnight, April 26, 2016.

The District shall apply for a wastewater discharge permit reissuance by submitting a complete wastewater discharge permit application in accordance with Arcata Municipal Code Section 7488.6 a minimum of 90 days prior to the expiration of this permit. Failure to apply for permit reissuance in the stated time frame shall be considered non-compliance with this permit.

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### Part V. Permit Non-Compliance

#### Permit Non-Compliance

Any violation of the terms and conditions of this wastewater discharge permit shall be deemed a violation of the City of Arcata Pretreatment Ordinance. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State and local law.

Non-compliance with this permit may result in applicable enforcement actions which may include civil and/or criminal penalties.

#### Civil and/or Criminal Penalties

As specified in Arcata Municipal Code, civil and criminal penalties may apply in cases of non-compliance with this permit. Penalties may be of the following three categories: Administrative Enforcement Remedies, Judicial Enforcement Remedies, & Supplemental Enforcement Actions. Any enforcement actions may specifically include one or more of the following: notices of violation, compliance orders, cease and desist Orders, emergency suspensions, administrative fines, civil penalties imposed in accordance with Government Code Section 54740.5, injunctive relief type penalties, criminal prosecution, remedies nonexclusive, performance bonds, water supply severance, direct correction or abatement by the City of Arcata in cases of public nuisances.

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### Part VI. Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this permit, are defined as follows:

**Act or "the Act."** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

**Applicant.** The person making application for a permit for wastewater discharge or for a sewer installation and shall be the owner of premises to be served by the sewer for which a permit is requested or his authorized agent.

**Authorized Representative of the Industrial User.**

1. If the industrial user is a corporation, authorized representatives for corporations are a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or the

**Contamination.** An impairment of the quality of the waters of the State by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of wastewater, whether or not waters of the State are affected.

**Contractor.** Any individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under the permit and who shall be responsible to the owner or his agent.

**Critical User.** All users who are required to obtain a wastewater discharge permit from the City.

**Director.** The Director of Environmental Services for the City of Arcata.

**Domestic Wastewater.** The wastewater derived principally from dwellings, business buildings, institutions and the like.

**Environmental Protection Agency or EPA.** The U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Regional Water Management Division Director or other duly authorized official of said agency.

**Existing Source.** Any source of discharge, the construction or operation of which commenced prior to the publication of proposed categorical pretreatment standards which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

**Fixture.** Any sink, tub, shower, water closet or other facility connected by a drain to the sewer. 3 sinks as commonly found in restaurants are counted as 3 fixtures.

**Fixture Unit.** A quantity in terms of which the load-producing effects on the plumbing system of different kinds of plumbing fixtures are expressed on some arbitrarily chosen scale.

**Garbage.** The solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

**Grab Sample.** A sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.

**Holding Tank Wastes.** Shall mean any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.

**Indirect Discharge or Discharge.** The introduction of (nondomestic) pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c) or (d) of the Act.

**Industrial User.** A source of indirect discharge.

**Industrial Waste.** The liquid wastes from, manufacturing processes, laboratories, and trades, either indirect discharge or point of discharge.

**Instantaneous Maximum Allowable Discharge Limit.** The maximum concentration (or loading) of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

**Interference.** A discharge which alone or in conjunction with a discharge or discharges from other sources: (1) inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and (2) therefore is a cause of a violation of the City's NPDES permit or of the prevention of sewage sludge use or disposal.

**Lateral Sewer.** The portion of a sewer lying within a public street connecting a building sewer to the community sewer.

**Living Unit.** Any residence, apartment house, habitation or other structure customarily occupied by a single person or family and which contains facilities for the preparation of meals.

**Medical Waste.** Isolation wastes, infectious agents, human blood and blood by-products, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.

**New Source.** New Source means any building, structure, facility or installation from which there is or may be a Discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

- The building, structure, facility or installation is constructed at a site at which no other source is located; or

manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. If the industrial user is a partnership, the authorized representative is a general partner.
3. If the industrial user is a sole proprietorship, the authorized representative is the proprietor.
4. If a corporation, a partnership, or a sole proprietorship an alternate authorized representative may be designated if:
  - The authorization is made in writing by the individual described in paragraph (1)(1) or (1)(2);
  - The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
  - The written authorization is submitted to the Control Authority.

**Beneficial Uses.** The uses of the waters of the State that may be protected against quality degradation including domestic, municipal, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife and other aquatic resources or reserves, and other uses, both tangible or intangible as specified by Federal or State law.

**Best Management Practices or BMPs** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in §403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

**Biochemical Oxygen Demand or (BOD).** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° centigrade expressed in terms of mass and concentration milligrams per liter (mg/l).

**Building.** Any structure used for human habitation or a place of business, recreation or other purpose containing sanitary facilities.

**Building Drain.** The building (house) drain which is that part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building (house) sewer beginning two (2) feet outside the building wall.

**Building Sewer.** That portion of any sewer beginning at the plumbing or drainage outlet of any building or industrial facility and running to the property line or to a private wastewater disposal system.

**Bypass.** Bypass means the intentional diversion of wastestreams from any portion of an Industrial User's treatment facility.

**Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of industrial users and which appear in 40 CFR Chapter I, Subchapter N, parts 405-471.

**City Inspector.** The Inspector acting for the City and charged with the duties of making inspections and enforcing the provisions thereof. He may be the Director of Environmental Services or a person designated by him.

**Color.** The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

**Combined Sewer.** Any sewer receiving both surface runoff and waste water.

**Community Sewer.** A sewer owned and operated by the City and tributary to a treatment facility operated by the City.

**Composite Sample.** The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

- The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
- The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

Construction on a site at which an existing source is located results in a modification rather than a New Source if the construction alters, replaces, or adds to existing process or production equipment unless:

- it totally replaces the process or production equipment that causes the discharge of pollutants at an existing source or;
- The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

Construction of a new source as defined under this paragraph has commenced if the owner or operator has either begun, or caused to begin as part of a continuous onsite construction program or entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph. Beginning, or causing to begin as part of a continuous onsite construction program means either any placement, assembly, or installation of facilities or equipment; or significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment.

**Noncontact Cooling Water.** Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

**Nuisance.** Anything which is injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property or which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

**Outlet.** Any properties of a sewer system to which a fixture may be connected.

**Outside Sewer.** Any private sewer beyond the limits of the City.

**Permit.** Any written authorization required pursuant to this or any other rule, regulation or ordinance of the City of Arcata for the installation of, connection to, or use of any wastewater works.

**Pass Through.** The term Pass Through means a Discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

**Person.** Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. This definition includes all Federal, State or local governmental entities.

**pH.** A measure of the acidity or alkalinity of a substance, expressed in standard units. **Plumbing System.** All potable water supply and distribution pipes, all plumbing fixtures and traps, all drainage and vent pipe and all building drains, including their respective joints and connections, devices, receptacles and appurtenances within the property lines of the premises and shall include potable water piping, water heaters and vents for same.

**Pollutant.** Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, industrial wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural and industrial wastes, and including but not limited to the following characteristics of wastewater: pH, temperature, TSS, turbidity, color BOD, Chemical Oxygen Demand (COD), toxicity, odor.

**Premises.** Any parcel of real estate or portion thereof including any improvements thereon which is determined by the City of Arcata to be a single user for purposes of receiving, using and paying for service.

**Pretreatment.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical or biological processes, by process changes, or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

**Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment imposed on an industrial user, other than a pretreatment standard.

**Pretreatment Standards or Standards.** Prohibitive discharge standards, categorical pretreatment standards, and local limits.

**Private Sewer.** A private wastewater disposal system.

**Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances as appear herein.

**Publicly Owned Treatment Works or POTW.** Any devices or systems owned by the City used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes and any conveyances owned by the City which convey wastewater to a treatment plant. The term also includes the City's jurisdiction over the industrial users and responsibility for the operation and maintenance of the treatment works.

**Sanitary Sewer.** A sewer which carries wastewater and to which storm, surface and ground waters are not intentionally admitted.

**Septic Tank Waste.** Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

**Seasonal Flow.** The discharge from an industrial user over any continuous fifteen (15) day period during which the average volume and/or strength of any regulated wastewater characteristic exceeds the respective yearly averages by fifty (50) percent.

**Sewage.** Human excrement and gray water (household showers, dish washing operations, etc.).

**Sewer.** Any pipe or conduit for carrying wastewater.

**Sewer Service Charges.** Fees, tools, rates, rentals or other charges for services and facilities furnished by City in connection with its sanitary sewerage system.

**Significant Industrial User.** (a) Industrial users subject to categorical pretreatment standards; and (b) any other industrial user that (i) discharges an average of 25,000 gpd or more of process wastewater, (ii) contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the treatment plant or, (iii) is designated as significant by the Director on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

**Significant Noncompliance.** Any Industrial User that has:

- 1) Violated a Pretreatment Standard or Requirement that the POTW determines has caused, alone or in combination with other Discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public)
- 2) Discharged a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority as described under paragraph (f)(1)(vi)(B) of 40CFR403 to halt or prevent such a discharge
- 3) Any other violation or group of violations, which may include a violation of Best Management Practices, which the POTW determines will adversely affect the operation or implementation of the local Pretreatment program.

Or any Significant Industrial User that has:

- 1) Chronically violated the wastewater Discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(i);

**Wastewater Discharge Permit.** The permit issued by the City to control the discharge of industrial wastewater to the treatment works.

**Wastewater Treatment Plant or Treatment Plant.** That portion of the POTW designed to provide treatment of sewage and industrial waste.

**Waters of the State.** Any water, surface or underground, including saline waters within the boundaries of the State.

Abbreviations

The following abbreviations shall have the meanings designated as follows:

**BOD** Biological Oxygen Demand  
**CFR** Code of Federal Regulations  
**COD** Chemical Oxygen Demand  
**EPA** U.S. Environmental Protection Agency  
**gpd** Gallons per Day  
**ND** Non detectable

**NPDES** National Pollutant Discharge  
Elimination System  
**O&M** Operation and Maintenance  
**POTW** Publicly Owned Treatment Works  
**SIC** Standard Industrial Classifications  
**TSS** Total Suspended Solids  
**USC** United States Code

Wastewater Discharge Permit No. 011-06-0139 issued by:

  
\_\_\_\_\_  
Mark Andre, City of Arcata Environmental Services Department

4-24-13  
\_\_\_\_\_  
Date Issued

2) had Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);

3) Failed to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;

4) Failed to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

5) Failed to accurately report noncompliance is in significant noncompliance. The City is required to publish a list of all users in Significant Noncompliance each year in a newspaper of major circulation.

**Slug Discharge (Slug Load)** is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, local limits or Permit conditions.

**Standard Industrial Classification (SIC) Code.** A classification pursuant to the Standard Industrial Classification Manual issued by the U.S. Office of Management and Budget.

**Storm Sewer or Storm Drain.** A conduit which carries storm and surface or ground waters and drainage, but excludes domestic and industrial wastewater.

**Storm Water.** Any flow occurring during or following any form of natural precipitation, and resulting therefrom, including snow melt.

**Street.** Any public highway, road, street, avenue, alley, way, public place, public easement or right-of-way.

**Suspended Solids or "SS".** Solids that either float on the surface of, or are in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtering, and are referred to as nonfilterable residue in the laboratory test described in "Standard Methods for the Examination of Water and Wastewater."

**Toxic Pollutant.** One of 126 pollutants, or combination of those pollutants, listed as toxic in regulations promulgated by the EPA under of Section 307 (33 U.S.C. 1317) of the Act, California Toxics Rule CTR, Priority Pollutants.

**Treatment Plant Effluent.** Any discharge of pollutants from the POTW into waters of the State.

**Unpolluted Water.** Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the agency having jurisdiction thereof for disposal to storm or natural drainages or directly to surface waters.

**Upset:** as used in this document an Upset is an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

**User.** Any person that discharges causes or permits the discharge of wastewater into a community sewer.

**User Classification.** The classification of users based on the 1972 edition of the Standard Industrial Classification (SIC) Manual prepared by the Executive Office of Management and Budget.

**Waste.** Wastewater and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to and for the purposes of disposal.

**Wastewater.** Liquid and water-carried industrial wastes, and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

**Wastewater Constituents and Characteristics.** The individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity, and strength of wastewater.

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